

RAJIV

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Mohit Bishnoi, Advocate for the petitioner.

Mr. Karan Garg, AAG Haryana.

Mr. Kartar Singh, Advocate for the complainant

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VIVEK PURI, J. (ORAL)

The petitioner is seeking regular bail in case bearing FIR No. 127 dated 10.07.2021 under Sections 120-B, 354-C, 376(2)(n), 384, 509 IPC, registered at Police Station Bhattu Kalan, District Fatehabad.

Custody certificate has been taken on record.

Briefly, the FIR has been registered on the allegations that the petitioner, who is the brother-in-law of the prosecutrix had been physically exploiting her on the pretext that he had recorded her obscene video while she was urinating in *nohra*.

Learned counsel for the petitioner contends that the prosecutrix, during the course of trial, had made improved version with regard to the allegation that the petitioner had threatened to make the video viral. Furthermore, the CCTV footage does not indicate the presence of the petitioner during the relevant point of time.

Learned State counsel and the counsel for the complainant have opposed the bail application on the score that the prosecutrix while appearing in the witness-box has supported the version of the prosecution and furthermore, as per the report of chemical examiner, spermatozoa was detected and the report of DNA analysis matches with the petitioner. Besides, out of 27, 25 witnesses have already been examined in the trial Court.

The petitioner is in custody for a period of 9 months and 29 days and the trial of the case is going at a fairly good pace. Out of 27 only 2 witnesses remain to be examined. The prosecutrix has supported the version of the prosecution. Besides, the report of DNA analysis also matches with the petitioner.

Keeping in view the totality of circumstances, no justified ground is made out to extend the concession of regular bail to the petitioner.

Dismissed.

23.12.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No